IN THE HIGH COURT OF UTTARANCHAL AT NAINTIAL

WRIT PETITION NO. 527 (MS) OF 2006

Ram Aasre, S/o Lal Chand,
R/o Sarpura, Post-Newria,
Dsitrict-Udham Singh Nagar. .....Petitioner.

Versus

1. The State of Uttaranchal, through Collector/District Magistrate, Udham Singh Nagar.
2. The Tehsildar Khatima, District Udham Singh Nagar, Uttaranchal.
3. The U.P. Sahakari Gramya Vikas Bank Limited, through its Branch Manager, Khatima, District-U.S. Nagar.

.....Respondents.

Mr. S.C. Bhatt, Advocate for the petitioner.
Learned Standing Counsel for the respondents no. 1 and 2.

Dated: 10.05.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents not to recover the amount of the loan by the R.C. as the petitioner is willing to deposit the amount of the loan.

Briefly stated, on 11.09.1996, the petitioner took an agricultural loan from respondents no. 3 and the amount of the loan was Rs. 43,585/-. After some time the branch of the bank was closed.

Petitioner has submitted that on 31.01.2006, a recovery citation was issued by the respondent no. 2 against the petitioner without giving any notice or information.

The petitioner has submitted that he is a poor person but he is willing to pay the whole amount and if it is fixed in some instalments, it will be feasible for him to pay the amount.

Looking to the grievance of the petitioner , the petitioner is directed to pay the amount in four equal quarterly instalments. If the first instalment is paid by 15th June, 2006, no recovery shall be done against the petitioner.

Writ petition is disposed of. No order as to costs.

10.05.2006 (Rajesh Tandon, J.)

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